

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KIRK LEAPHART,

Plaintiff,

Case No. 14-10246
HON. GERSHWIN A. DRAIN

vs.

PRESERVATION HOUSING
MANAGEMENT, a corporation,
and Miranda White,

Defendants.

_____ /

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION [#32]

On June 25, 2014, the Court entered an Order denying Plaintiff's Motion for Summary Judgment [#12], granting Defendants' Motion for Summary Judgment [#25], and denying Plaintiff's Motion to Impose Sanctions [#20]. See Dkt. No. 30. The Court's June 25, 2014 Order found that Plaintiff failed to show that he was discriminated against based on race or gender.

The Court's Order further recognized that Plaintiff failed to provide any evidence to support a 42 U.S.C § 1981 claim that he was unable to enter into a contract with Defendants, or that he entered into a contract with Defendants based on discriminatory terms. Instead, the Court held that Plaintiff was never denied housing, but did not receive an apartment at Defendants' complex because he failed to complete the application process. Finally, the Court determined that Plaintiff could not establish a prima facie case

for housing discrimination under 42 U.S.C. § 1982 by either direct or circumstantial evidence.

In the present motion, Plaintiff requests that the Court reconsider its decisions based on Sixth Circuit caselaw that the Plaintiff presented to the Court, but does not believe the Court considered.

Motions for Reconsideration are governed by Local Rule 7.1(g)(3) of the Local Rules of the United States District Court for the Eastern District of Michigan, which provides:

[M]otions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication, shall not be granted. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that a different disposition of the case must result from a correction thereof.

E.D. Mich. L.R. 7.1(g)(3). Here, Plaintiff identifies no palpable defect by which the Court has been misled. The Court properly considered all caselaw presented in reaching its conclusion. Accordingly, Plaintiff's Motion for Reconsideration [#32] is DENIED.

SO ORDERED

Dated: July 11, 2014

/s/ Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
July 11, 2014, by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk